

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEREK TURNER,

Plaintiff,

Case No. 1:09-cv-665

v.

Honorable Paul L. Maloney

CINDI S. CURTIN et al.,

Defendants.

ORDER FOR PARTIAL SERVICE

In accordance with the Opinion filed this date:

IT IS ORDERED that Plaintiff's action against Defendant Van Buren be DISMISSED WITH PREJUDICE pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997e, because she is immune.

IT IS FURTHER ORDERED that Plaintiff's action against Defendants Caruso and Pratt be DISMISSED WITH PREJUDICE for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997e(c).

IT IS FURTHER ORDERED that Plaintiff's action against Defendants Hornkohl and Pierson be DISMISSED WITH PREJUDICE for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. §§ 1915(e) and 1915A, and 42 U.S.C. § 1997e, with the exception of Plaintiff's retaliation claim.

IT IS FURTHER ORDERED that the Clerk shall arrange for service of summons and amended complaint (docket #13), along with a copy of this order, upon Defendants Hornkohl and Pierson.

IT IS FURTHER ORDERED that Defendants Hornkohl and Pierson shall reply to the complaint by way of answer, motion to dismiss, or motion for summary judgment within the time allowed by law. *See* 42 U.S.C. § 1997e(g)(1). Defendants need only respond to Plaintiff's surviving retaliation claim.

Dated: January 13, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge